

FILED

MAY 24 2012

IN THE UNITED STATES DISTRICT COURT
 FOR THE WESTERN DISTRICT OF TEXAS
 SAN ANTONIO DIVISION

CLERK, U.S. DISTRICT COURT
 WESTERN DISTRICT OF TEXAS
 BY DEPUTY CLERK

MERRILL LYNCH, PIERCE, FENNER
 & SMITH INCORPORATED

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v.

CIVIL ACTION NO. SA-01-CA-0420-OG

POSADAS LIMITED and HOSPITAL
 SHRINERS PARA NINOS, A.C.

ORDER OF DISCHARGE OF POSADAS LIMITED

On this the 24 day of May 2012, came on to be considered the motion for final discharge of Defendant/Cross-Claimant Posadas Limited in the above entitled and numbered cause.

Plaintiff MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED ("Merrill Lynch"), having previously been released and discharged by the Court, did not appear. Defendant/Cross-Claimant POSADAS LIMITED ("Posadas"), Defendant/Cross-Claimant HOSPITAL SHRINERS PARA NINOS, A.C. ("Shriners Mexico"), Cross-Claimant The Estate of Anne Lott Trapp-Mahau, deceased, by and through its independent administrator, Philip Knight-Sheen (the "Estate"), and Intervenor Claimants FUNDACION TRAPP DE FRANKFURT EN MEXICO (the "Foundation") and SHRINERS HOSPITAL FOR CHILDREN, INC. ("Shriners USA"), appeared by and through counsel of record.

The Court, having considered the motion for final discharge, the opposition and reply, and the Registry of the Court having received the funds ordered to be placed therein by this Court's May 27, 2005 Order of Notice and Interpleader, is of the opinion and orders the following:

1. IT IS ORDERED, ADJUDGED, AND DECREED that any and all claims and causes of action by or against Posadas are hereby denied and dismissed with prejudice to refile of same;

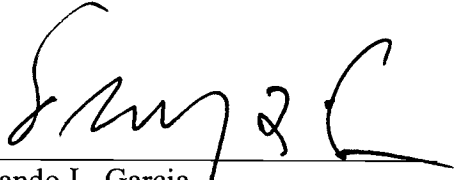
2. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Posadas is discharged from all liability in connection with the Posadas Account or the facts, matters, or issues made the subject of this Lawsuit including, without limitation, the deposit of the remaining proceeds of the Posadas Account into the Registry of the Court ordered by this Court's May 27, 2005 Order of Notice and Interpleader;

3. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that nothing herein shall impair or affect in any other way the Court's orders of July 23, 2002 (Docket No. 12) and December 17, 2002 (Docket No. 18) discharging Merrill Lynch from all liability in connection with the Posadas Account and granting Merrill Lynch's motion for costs and attorneys' fees. Such orders are hereby reaffirmed in all respects. Merrill Lynch is hereby fully and finally discharged from any liability in connection with the Posadas Account or the facts, matters, or issues made the subject of this Lawsuit including, without limitation, the deposit of the remaining proceeds of the Posadas Account into the Registry of the Court ordered by this Court's May 27, 2005 Order of Notice and Interpleader;

4. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all costs of Court are charged against the party incurring same; and

5. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any relief not expressly granted herein is denied.

SIGNED this 24 day of May 2012.


Orlando L. Garcia
United States District Judge